

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Whitney Beber	Team: Squad #8	CCRB Case #: 201807205	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 08/30/2018 6:00 AM	Location of Incident: § 87(2)(b)	Precinct: 33	18 Mo. SOL 2/29/2020	EO SOL 2/29/2020	
Date/Time CV Reported Thu, 08/30/2018 5:01 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 08/30/2018 5:01 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Sonia Christian	03066	925077	WARRSEC
2. POM Emerson Charles	28595	950191	WARRSEC
3. POM Ryan Jaffe	11329	954968	WARRSEC
4. DT3 Philogene Breville	1201	940974	WARRSEC
5. An Officer			WARRSEC

Officer(s)	Allegation	Investigator Recommendation
A.POM Ryan Jaffe	Abuse: Police Officer Ryan Jaffe entered § 87(2)(b) in Manhattan.	§ 87(2)(b)
B.POM Ryan Jaffe	Force: Police Officer Ryan Jaffe used physical force against § 87(2)(b)	§ 87(2)(b)
C.POM Ryan Jaffe	Abuse: Police Officer Ryan Jaffe searched § 87(2)(b)	§ 87(2)(b)
D.POM Emerson Charles	Abuse: Police Officer Emerson Charles entered § 87(2)(b) in Manhattan.	§ 87(2)(b)
E.SGT Sonia Christian	Abuse: Sergeant Sonia Christian entered § 87(2)(b) in Manhattan.	§ 87(2)(b)
F.DT3 Philogene Breville	Abuse: Detective Philogene Breville entered § 87(2)(b) in Manhattan.	§ 87(2)(b)
G. An Officer	Abuse: An officer searched § 87(2)(b) in Manhattan.	§ 87(2)(b)
H.POM Ryan Jaffe	Abuse: Police Officer Ryan Jaffe refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
I.SGT Sonia Christian	Abuse: Sergeant Sonia Christian refused to provide her shield number to § 87(2)(b)	§ 87(2)(b)
J.POM Emerson Charles	Abuse: Police Officer Emerson Charles refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)
K.DT3 Philogene Breville	Abuse: Detective Philogene Breville refused to provide his name to § 87(2)(b)	§ 87(2)(b)
L.DT3 Philogene Breville	Abuse: Detective Philogene Breville refused to provide his shield number to § 87(2)(b)	§ 87(2)(b)

## Case Summary

§ 87(2)(b) filed the following complaint with the Civilian Complaint Review Board on August 30, 2018, over the phone. On August 30, 2018, the CCRB received the complaint.

On August 30, 2018, at approximately 6:00 a.m., Police Officer Ryan Jaffe, Police Officer Charles Emerson, Sergeant Sonia Christian, and Detective Philogene Breville of the Brooklyn South Warrant Squad went to § 87(2)(b) in Manhattan. § 87(2)(b) opened the door and Police Officer Jaffe showed § 87(2)(b) what she believed to be an arrest warrant with her son, § 87(2)(b)'s photograph, and asked if § 87(2)(b) was there. § 87(2)(b) told Police Officer Jaffe that he was not. Police Officer Jaffe, told § 87(2)(b) that they had a search warrant. § 87(2)(b) asked if she could look at it, and Police Officer Jaffe handed her the piece of paper. She asked if she could make a copy, and Police Officer Jaffe, granted her permission. § 87(2)(b) told the officers to wait there, and left the officers outside of her door and walked down the hall to her bedroom, leaving the door open. As she bent to make a copy, Police Officer Jaffe, allegedly jumped on the left side of her back and snatched the paper out of her hand, (**Allegation A and B- Abuse of Authority and Force**, § 87(2)(g) § 87(2)(b) walked Police Officer Jaffe out of her bedroom, and saw the other officers throughout her apartment, (**Allegations C, D, E and F- Abuse of Authority**, § 87(2)(g) An unidentified officer opened a closet door in § 87(2)(b)'s apartment (**Allegation G, Abuse of Authority**, § 87(2)(g) § 87(2)(b) told all the officers to leave her home. Once the officers were outside of her door, § 87(2)(b) asked each officer for their names and shield numbers. Police Officer Jaffe provided his name but not his shield number, (**Allegation H, Abuse of Authority**, § 87(2)(g) Sergeant Christian provided her name as "Sergeant Christian," but did not provide her shield number (**Allegation I, Abuse of Authority**, § 87(2)(g) Police Officer Charles provided his name but refused to provide his shield number, (**Allegation J, Abuse of Authority**, § 87(2)(g) Detective Breville did not provide his name or shield number to § 87(2)(b) (**Allegation K and L, Abuse of Authority**, § 87(2)(g) § 87(2)(g)

Surveillance footage from inside the apartment building was obtained from the landlord of § 87(2)(b) for this incident. It did not capture any of the allegations (Board Review 07-10).

No summonses were issued or arrests were made during this incident.

### Findings and Recommendations

**Allegation (A) Abuse of Authority: Police Officer Ryan Jaffe entered § 87(2)(b) in Manhattan.**

**Allegation (B) Force: Police Officer Ryan Jaffe used physical force against § 87(2)(b)**

**Allegation (C) Abuse of Authority: Police Officer Ryan Jaffe searched § 87(2)(b) in Manhattan.**

**Allegation (D) Abuse of Authority: Police Officer Emerson Charles entered § 87(2)(b) in Manhattan.**

**Allegation (E) Abuse of Authority: Sergeant Sonia Christian entered § 87(2)(b) in Manhattan.**

**Allegation (F) Abuse of Authority: Detective Philogene Breville entered § 87(2)(b) in Manhattan.**

**Allegation (G) Abuse of Authority: An officer searched § 87(2)(b) in Manhattan.**

As per § 87(2)(b)'s telephone statement, on August 30, 2018, at approximately 6:00 a.m. § 87(2)(b) was in her apartment with her grandson § 87(2)(b) and her granddaughter, § 87(2)(b) told § 87(2)(b) that there were four officers, PO Jaffe, Det. Breville, PO Charles, and Sgt. Christian, at her door. PO Jaffe asked, "§ 87(2)(b) who is he to you?" § 87(2)(b) told him that both her husband and son's name was § 87(2)(b) but that neither lived at that address. PO Jaffe told § 87(2)(b) they had a search warrant for her apartment. PO Jaffe showed her what she believed was an arrest report when she asked to see the search warrant. She asked to make a copy. PO Jaffe permitted her do so. She walked down the hallway to her bedroom while the officers stood in her doorway. In the doorway, the officers had crossed the threshold of her doorway. § 87(2)(b) did not say which officers had crossed the threshold or how many. Prior to that, the officers had never asked permission to enter her home and she had not given permission. § 87(2)(b) bent down to make a copy of the paper. PO Jaffe attempted to jump over her back and in the process landed on her back and snatched the paper from her. § 87(2)(b) stepped out of her room and told the officers to get out of her house and told them they were not allowed inside her home. When she left her bedroom, she saw that either PO Charles or Det. Breville opened her closets. Another officer was in her living room, kitchen and throughout her apartment. § 87(2)(b) could not describe more specifically where the officers went in her apartment.

§ 87(2)(b)'s sworn statement is largely consistent with her telephone statement with the following exception. When § 87(2)(b) left the officers to make a copy of the warrant, they were outside of her door.

The investigation was unable to obtain a statement from § 87(2)(b) a minor, because § 87(2)(b) did not give permission to the undersigned to do so. The investigation was unable to obtain a statement from § 87(2)(b) because he refused to contact the undersigned and attempts to contact him were unsuccessful.

As per PO Jaffe, he, Sgt. Christian, PO Charles and Det. Breville arrived at § 87(2)(b). PO Jaffe believed the address to be where § 87(2)(b)'s son, § 87(2)(b) resided (Board Review 01). When they arrived at the address PO Jaffe knocked. After a few minutes § 87(2)(b) came to the door. § 87(2)(b) immediately asked for PO Jaffe's name and shield number, which he provided to her verbally. PO Jaffe explained that he had a complaint report for § 87(2)(b) asked to see what paperwork PO Jaffe had. PO Jaffe showed § 87(2)(b) I-Card number § 87(2)(b) which included a picture of § 87(2)(b) and listed his last known address § 87(2)(b) (Board Review 12). He handed the I-card to § 87(2)(b) (which was in a folder with his entire stack of paperwork). § 87(2)(b) told him that the I-card was not a search warrant and he explained the difference. PO Jaffe did not have an arrest warrant for § 87(2)(b) and he did not have a search warrant. PO Jaffe asked if they could enter and look around. § 87(2)(b) answered "Yes, be my guest, he's not here." § 87(2)(b) also gestured and waved inside while the door was open. PO Jaffe, PO Charles, Det. Breville and Sgt. Christian entered the apartment. PO Jaffe followed § 87(2)(b) to retrieve his paperwork, which included other locations he might find § 87(2)(b). PO Jaffe did not want § 87(2)(b) getting that information and providing it to § 87(2)(b). He followed § 87(2)(b) to a room down the hallway and in the back of the apartment. § 87(2)(b) was in the threshold of that room. § 87(2)(b) tried to rip the paperwork. PO Jaffe told § 87(2)(b) she could not do so and reached around from behind § 87(2)(b) grabbed the paperwork and took it from her hands. There was no struggle and the paperwork slipped right from her hands. PO Jaffe did not jump on the left side of § 87(2)(b)'s back and he saw no other officer do so. PO Jaffe never came into physical contact with § 87(2)(b) and he did not see another officer do so. § 87(2)(b) screamed to get out of her apartment. The officers left right away. PO Jaffe could not say whether any officers entered any rooms in the apartment or opened any closet doors in the apartment. PO Jaffe did not enter any rooms or open any closet doors.

PO Charles, Det. Breville and Sgt. Christian were all consistent in their sworn statements that they did not see any officer jump on § 87(2)(b)'s back, that they did not search the apartment and that they did not see an officer search her apartment.

As per PO Charles, § 87(2)(b) opened the door wide enough for the officers to enter and told them to come in (Board Review 02). At that point all four officers entered the apartment. § 87(2)(b) looked at I-card § 87(2)(b). PO Charles went into the hallway inside the apartment. PO Charles glanced into a room. PO Charles remained by the room he glanced in the entire time he was in the apartment. The officers had been inside § 87(2)(b)'s apartment for approximately five minutes before she yelled for the officers to get out of her apartment. Sgt. Christian told them to get out of the apartment at that point. The officers left immediately. PO Charles never saw § 87(2)(b) take the I-Card or have the I-Card in her hand.

As per Det. Breville, upon § 87(2)(b) opening the door, she asked each officer individually for their names and shield numbers (Board Review 03). Each officer provided their name and shield number verbally. She told a male by the door to write the information down. PO Jaffe told § 87(2)(b) that they were looking for her son, § 87(2)(b) because he was named in a complaint and that they were there to see if he was staying with her. § 87(2)(b) invited the officers in by telling them to come in. All four officers entered the apartment at that point. § 87(2)(b)

§ 87(2)(b) asked to see the paperwork. PO Jaffe handed § 87(2)(b) all the paperwork he had for the case in a plastic folder. Det. Breville then observed PO Jaffe grab the paperwork, and ask, “What are you doing?” and “You’re trying to rip the paperwork.” PO Jaffe grabbed the paperwork. Det. Breville never saw PO Jaffe jump on § 87(2)(b)’s back to retrieve the paperwork. This interaction took place at the end of short hallway. While they were in the apartment the officers did not go any further into the apartment than the hallway. § 87(2)(b) told the officers to get out, and the officers exited.

Sgt. Christian was consistent with PO Jaffe that § 87(2)(b) verbally gave them permission to enter and that he handed her the I-Card (Board Review 04). Once inside Sgt. Christian observed a male in a room adjacent to the hallway that connected to the room. Sgt. Christian asked the male his name. He was the brother of the subject of the I-card who the investigation identified as § 87(2)(b). While she was speaking to the brother, she heard § 87(2)(b) tell them to go. Sgt. Christian immediately stopped talking to the brother, walked further into the hallway, saw her “detectives” and told them that they had to leave. Sgt. Christian did not enter any rooms inside of the apartment. She was not sure if she had a foot inside the doorway of the § 87(2)(b). § 87(2)(b)’s brother was in, however she did not go past the plane of the door way.

The medical records from the § 87(2)(b) where § 87(2)(b) was admitted on § 87(2)(b) noted that § 87(2)(b)’s chief complaint was of left shoulder pain due to the police jumping on her left shoulder (Board Review 11). There was no swelling or deformity in her left shoulder. There was mild tenderness of the areas attached to the shoulder blades. No acute fracture or dislocation was identified. § 87(2)(b) was given an anti-inflammatory drug used to treat pain. § 87(2)(b) was discharged the same day.

§ 87(2)(g)  
[REDACTED]

**Allegation (H) Abuse of Authority: Police Officer Ryan Jaffe did not provide his shield number to § 87(2)(b)**

**Allegation (I) Abuse of Authority: Sergeant Sonia Christian did not provide her shield number to § 87(2)(b)**

**Allegation (J) Abuse of Authority: Police Officer Emerson Charles did not provide his shield number to § 87(2)(b)**

**Allegation (K) Abuse of Authority: Detective Philogene Breville did not provide his name to § 87(2)(b)**

**Allegation (L) Abuse of Authority: Detective Philogene Breville did not provide his shield number to § 87(2)(b)**

As per § 87(2)(b)'s telephone statement, she took a pen and a piece of paper and went to the officers while they were in the hallway and asked them each for their names, titles, and shield numbers. When § 87(2)(b) asked PO Jaffe for his name, he said, "Jaffe." He refused to provide his rank/title. § 87(2)(b) asked Det. Breville for his name, but he refused to provide it. When she asked PO Charles for his name, he told her, "Charles." § 87(2)(b) asked for the spelling, his title and to clarify what he was saying. PO Charles told her that was all he was giving her. She asked Sgt. Christian her name and she identified herself as "Sgt. Christian." PO Jaffe, PO Charles and Det. Breville refused to provide their shield numbers. Sgt. Christian provided her shield number as 11321.

As per her sworn statement, § 87(2)(b) stated that she asked each officer for their names, shield numbers, tax identification numbers, and titles. When she asked PO Jaffe, he provided his name as "Jaffe." When she asked for his shield number and title, he continued to only provide his name. When she asked Sgt. Christian for her name and shield number, she stated her name was "Sgt. Christian." When she approached PO Charles, he provided his name as "Charles." When she asked for his shield number, he told her that he would not provide it. When she asked Det. Breville his name and shield number, he would not provide it.

As per PO Jaffe, § 87(2)(b) asked for the officer's names and shield numbers individually once they were outside of the apartment again. PO Jaffe provided his name and shield number to § 87(2)(b) verbally. § 87(2)(b) asked Sgt. Christian for her name and shield number. At that point, PO Jaffe started to walk away because he saw § 87(2)(b) was irritated. PO Jaffe did not remember if PO Charles provided his name and shield number. He did not hear any officer refuse to provide their name and shield number to § 87(2)(b).

As per PO Charles, § 87(2)(b) went outside the hallway with the officers and requested each officer's name and shield number. PO Charles verbally provided his name and shield number, as did each officer.

Det. Breville was consistent with PO Charles that § 87(2)(b) asked for each officer's name and shield number in the hallway, and that they each provided it verbally.

As per Sgt. Christian, as they were leaving, § 87(2)(b) asked them for the officer's names and commands. She did not request their shield numbers. Sgt. Christian provided her name and command. The other three officers provided their information as well. § 87(2)(b) wrote the officer's information down.

§ 87(2)(g)  
[REDACTED]

§ 87(2)(g) [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

**Civilian and Officer CCRB Histories**

- § 87(2)(b) [Redacted]  
[Redacted]  
[Redacted]
- PO Jaffe has been a member of service for five years and has been a subject in four cases and 10 allegations, none of which were substantiated. § 87(2)(g) [Redacted]  
[Redacted]
- PO Charles has been a member of service for seven years and has been a subject in three cases and four allegations, none of which have been substantiated. § 87(2)(g) [Redacted]  
[Redacted]
- Sgt. Christian has been a member of service for 18 years and has had been a subject in nine cases and 24 allegations, none of which were substantiated. § 87(2)(g) [Redacted]  
[Redacted]
- Det. Breville has been a member of service for 13 years and has been a subject in four cases and seven allegations, none of which were substantiated. § 87(2)(g) [Redacted]  
[Redacted]

**Mediation, Civil and Criminal Histories**

- This complaint was unsuitable for mediation due to § 87(2)(b) [Redacted] being injured.
- § 87(2)(b), § 87(2)(c) (impair contract awards or CBAs) [Redacted]  
[Redacted]
- A Notice of Claim request was submitted on January 28, 2019, from the New York City's Comptroller's Office and will be added to the case file upon receipt.

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Squad No.: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_

Signature

Print Title & Name

Date